

Remarks/Arguments

Information Disclosure Statement

The Office notes "The listing of references in the specification is not a proper information disclosure statement." Attached is a copy of the Information Disclosure Statement filed on March 12, 2002, and the return receipt postcard stamped as received by the USPTO on March 26, 2002.

Oath/Declaration

The Applicant appreciates Examiner's comment regarding the claiming of foreign priority.

35 U.S.C. § 112

Claim 22 has been amended to comply with the requirements of section 112.

35 U.S.C. § 103

The Office rejected claims 1-17 and 19-24 as being obvious over Miller (U.S. Patent 5479339) in view of Peek et al. (U.S. Patent 6343255) (Peek).

Neither Miller nor Peek teach a legal person other than the user in communication with the distal computer.

The claim set before the Examiner has two independent claims – 1 and 10. Claims 1 and 10 have both been amended to include a legal person other than the user in communication with the distal computer. Support for this claim amendment can be found throughout the specification and particularly on page 5, line 4 as follows: "The term "third party" is used herein to mean a legal person other than the user."

While the cellular digital packet data system (CDPD) (reference number 154 in Peek) may be in communication with a distal computer, the CDPD is not a legal person and fails to teach or suggest a legal person. The meaning of a CDPD can be gleaned from the following sentence: "A station access system is used to call the weather station through the Internet and a wireless cellular digital packet data system." (Abstract). It is clear from the previous sentence

that a CDPD is a physical device (hardware) and certainly is not a legal person. Person is defined by Webster's New World Dictionary in the legal area as "any individual or incorporated group having certain legal rights and responsibilities".

With respect to Miller, the Examiner has already admitted that "Miller fails to teach a forth (claim 1) communication system that exchanges information between the distal computer and a third party..."

Based on the failure to teach or suggest all of the claimed elements of independent claims 1 and 10, the obviousness rejections are respectfully traversed.

Respectfully submitted,

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Dated: September 23, 2003

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